

REMARKS

The word 'container' in claim 1 has been replaced by the word 'hopper' in accordance with the expression used ~~all along~~ throughout the description.

Claim Rejection 35 USC 102

Applicant respectfully submit that the claims as amended are novel over WO 98/34721 to Davies. ~~In fact,~~ Applicants submit that Davies does not disclose that an effective flow rate of one selected component of the mixture is monitored and that based on this value the individual flow rates of each other components of the mixture are adjusted.

Claim Rejections- 35 USC 103

Applicant respectfully submits that the present set of claims is non-obvious over WO 98/34721 to Davies in view of US 3,767,170 to Morgenstern or in view of US 2003/0072208 to Rondeau.

~~Indeed, the new~~ Applicants submit that claims 1 and 5, as presented hereinabove, aim at providing a constant production quality when blending cement, producing identical batches or a continuous flow of blend for any quantity of cement mixture. None of the prior art documents cited describe, teach, or even suggest using a sensor system to measure the flow rate of the components, to process these flow rates, and to adjust the flow rates of the components by an adjustable valve.

The hereinbefore mentioned distinguishing features of the ~~present~~ invention as claimed are clearly new and non-obvious in view of the cited prior art. Applicant believes that a skilled

person considering the teachings of Davies alone would not obviously derive the present invention as claimed in amended independent claims 1 or 5. Further, the skilled personHe would not ~~further~~ succeed in deriving the claimed invention from the combination of Davies with any of the others documents from the art cited, namely Morgenstern and/or Rondeau.

Applicant believes this reply to be fully responsive to all outstanding issues and that the present set of claims is now ready for allowance.

The Commissioner is authorized to charge any fee associated with the submission of this response to Deposit Account No. 50-2183 (Ref. No. 21.1152).

The Examiner is invited to contact the undersigned attorney at 281-285-8606 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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